



Appeal Decision

Site visit made on 15 January 2024 by C Glaister

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 April 2024

Appeal Ref: APP/L3625/D/23/3323407

103 Ashurst Road, Tadworth KT20 5EY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3 and Schedule 2, Part 1, Class AA of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Bowie - Nuro Homes Limited against the decision of Reigate and Banstead Borough Council.
 - The application Ref 23/00709/PAP1AA, dated 10 April 2023, was refused by notice dated 31 May 2023.
 - The development proposed is described as 'Erection of additional storey to main part of dwelling only'.
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Decision

1. The appeal is allowed and prior approval is granted under the provisions of Article 3 and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the erection of additional storey to main part of dwelling only at 103 Ashurst Road, Tadworth KT20 5EY in accordance with the details submitted pursuant to Article 3 and Schedule 2, Part 1, Class AA of the GPDO.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. Under Article 3 and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), planning permission is granted for the enlargement of a dwellinghouse by the construction of additional storeys, subject to specific limitations and conditions and a requirement that the developer applies for prior approval to the Local Planning Authority.

Main Issue

4. The reason for refusal on the Council's decision notice specifically relates to the external appearance of the dwellinghouse. Therefore, the main issue is whether the proposal complies with the relevant condition in paragraph AA.2.(3)(a)(ii) of the GPDO.

Reasons for the Recommendation

5. The appeal property is a modest detached bungalow situated in a residential area. Adjacent to the north is a small detached double garage within the appeal site, followed by a row of two-storey and three-storey buildings. To the south there are two more bungalows followed by a long stretch of two-storey buildings. The properties opposite No. 103 are all two-storey dwellings, though some are situated along a lower ground level than the highway.
6. As the appeal property and the two dwellings to the south of it are the only bungalows in the immediate area and the prevailing scale is two-storey, the development would not disrupt any important visual continuity in the street. Furthermore, even though the two-storey dwellings opposite the site are situated at a lower ground level, no harmful visual imbalance would arise between these properties given the intervening road and the general semblance in scale along the street.
7. The Council state that the proposal would create a balanced two-storey dwelling and that the materials, and roof pitch would be in keeping with other properties in the road. I agree and together with my observations of the wider street context, this indicates that harm would not arise with regard to the details of the proposal's external appearance.
8. For the reasons above, the proposed development would conform to the requirements and criteria of Article 3 and Schedule 2, Part 1, Class AA, paragraph AA.2.(3)(a)(ii) of the GDPO.
9. The development plan is not determinative for prior approval. However, Policy DES1 of the Development Management Plan¹ and its aim to ensure development has due regard to the layout, density, plot sizes, building siting, scale, massing, height, and roofscapes of the surrounding area, as well as its other overarching objectives would nevertheless support the conclusions reached above.

Other Matters

10. Development applied for through prior approval is considered with respect to specific requirements in the GPDO. The development is allowed subject to it meeting these requirements only. In terms of the matters raised by other parties, which are relevant to an assessment against the requirements of the GDPO any impact on the amenity of any adjoining premises including overlooking, privacy and the loss of light is a material consideration.
11. Given the increase of only one additional storey and the degree of separation between the principal windows and private garden areas serving neighbouring dwellings opposite and adjacent, no substantive loss of light or overbearing would be likely to arise. There are no windows on the side elevation for overlooking or privacy concerns to occur for the neighbouring bungalow, and views across the road towards the front elevations would be consistent with those expected within a residential area.
12. The other matters raised by third-parties are not matters that can be considered in this instance having regard to the requirements of the relevant parts of the GPDO.

¹ Reigate & Banstead Local Plan Development Management Plan (September 2019)

Conclusion and Recommendation

13. For the reasons given above, I recommend that the appeal should be allowed.

C Glaister

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is allowed.

M Russell

INSPECTOR